

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROY DEN HOLLANDER,

Plaintiff,

- against-

COPACABANA NIGHT CLUB, CHINA CLUB,  
GUEST HOUSE, A.E.R. NIGHTCLUB, SOL, and  
JANE DOE PROMOTERS,

Defendants.  
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Case No.:07-cv-5873 (MGC)(KNF)

**NOTICE OF MOTION TO DISMISS**  
**PURSUANT TO FED.R.CIV.P.**  
**12(b)(6)**

TO: **Attached Service List**

PLEASE TAKE NOTICE that upon the annexed affirmation of Vanessa R. Elliott, Esq. and Memorandum of Law, counsel for defendant AER Lounge, LLC will move this Court on October 25, 2007 at 9:30 a.m. before the Hon. Miriam Goldman Cedarbaum, U.S. District Court Judge, Southern District of New York, U.S. Courthouse, Room 1330, 500 Pearl Street, New York, NY 10007-1312 for an Order pursuant to Fed.R.Civ.P. 12(b)(6), dismissing the complaint for failure to state a claim.

Dated: September 28, 2007

/s/ Vanessa R. Elliott

By: Vanessa R. Elliott (VE 4752)  
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**SERVICE LIST FOR: Den Hollander v. Copacabana Nightclub, China Club, Guest House, AER Lounge, LLC, Lotus, Sol, and Jane Doe Promoters ; Case No. 07-CV-5873, S.D.N.Y.**

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